

EXHIBIT E

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ANGELICA PARKER,

Plaintiff,

-- against --

SCOTT BURSOR and
BURSOR & FISHER, P.A.,

Defendants.

-----X

Case No.:

DECLARATION OF JUDD BURSTEIN

JUDD BURSTEIN hereby declares under penalty of perjury:

1. I am an attorney admitted to the Bar of this Court.
2. I am the sole shareholder of Judd Burstein, P.C., attorneys for Scott Bursor and Bursor & Fisher, P.A. (“Defendants”) in the case of *Parker v. Bursor et al.*, Index No. 952325/2023 (Sup. Ct. N.Y. Co.) (the “State Court Action”).
3. I submit this Declaration for the purpose of satisfying the amount in controversy jurisdictional predicate for Defendants’ removal of the State Court Action to this Court based upon diversity of citizenship.
4. On November 22, 2023, Plaintiff Angelica Parker (“Plaintiff”) commenced the State Court Action by filing a Summons with Notice *pro se* pursuant to CPLR 304(a). Scott Bursor was the only named defendant in that Summons with Notice.
5. On November 24, 2023, Plaintiff filed an Amended Summons with Notice *pro se* adding Bursor & Fisher, P.A. as a defendant in the State Court Action.
6. The Amended Summons with Notice is procedurally deficient because the Notice does not, as required by CPLR 305(b), state “the sum of money for which judgment may be taken in case of default. ”

7. However, prior to Ms. Parker filing her Summons with Notice *pro se*, she had been represented by Carlos Carvajal, Esq. in connection with her claims against Defendants. Mr. Carvajal informed me that if Ms. Parker were to sue Mr. Bursor, she would be seeking an amount of damages in excess of \$75,000.

8. I further note that the jurisdictional predicate is also met here under 28 U.S.C. § 1446(c)(2)(A) because the Amended Summons with Notice seeks nonmonetary relief.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of January, 2024, in the State of Connecticut, County of Fairfield.



JUDD BURSTEIN